



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
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OPNAVINST 8020.15B
N41
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OPNAV INSTRUCTION 8020.15B

From: Chief of Naval Operations

Subj: EXPLOSIVES SAFETY REVIEW, OVERSIGHT AND VERIFICATION OF
MUNITIONS RESPONSES

Ref: (a) DESR 6055.09, Edition 1, 13 January 2019
(b) NAVSEA OP 5 Volume I, Seventh Revision
(c) NOSSAINST 8020.15D
(d) OPNAVINST 5090.1E
(e) OPNAV-M 5090.1

Encl: (1) Terms and Definitions

1. Purpose. To establish policy, define authority and assign responsibilities for the explosives safety aspects of munitions responses. This policy is revised to support new formatting directive and removes Marine Corps Order 8020.13A from the title of this instruction. As identified in Department of the Navy (DON), Environmental Restoration Program Manual, 2018, Marine Corps policy on explosives safety review, oversight and verification functions of munitions response on Marine Corps installations are established in Marine Corps Order 8020.10. This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. OPNAVINST 8020.15A.

3. Background. A munitions response is action taken to address explosives safety, human health or environmental risks presented by munitions and explosives of concern (MEC) which include unexploded ordnance (UXO), discarded military munitions (DMM) or munitions constituents (MC) in high enough concentrations to pose an explosive hazard. Munitions responses are not limited to sites within the Navy's Munitions Response Program and can occur on any Navy controlled real property where MEC or material potentially presenting an explosive hazard (MPPEH) are known or suspected to be present.

4. Applicability. This policy applies to all munitions response actions performed on Navy controlled real property known or suspected to contain MEC or MPPEH, other than operational ranges. In the case of a pre-existing burial site located on an operational range, the burial site would be subject to this policy while the overall operational range would not be. This policy also applies to Navy explosive ordnance disposal (EOD) mobile units and detachments performing explosives or munitions emergency responses on or off their assigned military facility and on or off Navy controlled real property.

5. Terms and Definitions. See enclosure (1).

6. Policy. As required by reference (a) and Department of Defense (DoD) Directive 6055.09E, Explosives Safety Management of 18 November 2016, it is Navy policy to provide the maximum possible protection to people and property from the potential damaging effects of military munitions. Additionally, Navy policy ensures the ability to minimize exposures consistent with safe and efficient operations and address the explosives safety hazards associated with real property known or suspected to contain military munitions. For real property known or suspected to contain MEC or MPPEH, explosives safety hazards must be addressed prior to conducting a munitions response changing land use to a use that is incompatible with the degree of MEC or MPPEH potentially present, performing intrusive or ground disturbing activities during construction or transferring or leasing such property from DoD control. Explosives safety submissions (ESS) and real property disposal, transfer or outlease documentation must be submitted to the DoD explosives safety board (DDESB) for review and approval prior to initiating the proposed action.

a. All munitions responses at real property known or suspected to contain MEC or MPPEH must have approved plans and appropriate documentation per paragraph 7 of this instruction and references (a) and (b).

b. Navy must provide oversight for the implementation of munitions responses and, upon completion of these munitions responses, verify that appropriate explosives safety actions were properly taken.

c. All explosives or munitions emergency responses, as defined in DoD Manual 4715.26, DoD Military Munitions Rule Implementation Procedures, of 25 April 2017, involving military munitions at other than operational ranges must be documented and forwarded to the Naval Ordnance Safety and Security Activity (NOSSA) for evaluation and reporting per reference (a) and maintenance in an explosives safety repository.

d. Human health and environmental responses will be integrated with those addressing explosives safety to the extent practical and per references (c), (d) and (e).

7. Responsibilities.

a. Chief of Naval Operations (CNO).

(1) Deputy CNO Fleet Readiness and Logistics (CNO N4) must provide overall direction and resources for Navy explosives safety review, oversight and verification functions.

(2) Director, Logistics – Supply Chain Operations Division (OPNAV N41) must administer the oversight and verification of the functions outlined in this instruction.

(3) Director, Energy and Environmental Readiness (OPNAV N45) will provide program resources required for the execution of required munitions responses per references (d) and (e).

b. Commander, Naval Sea Systems Command, through NOSSA as delineated in reference (c), must:

(1) Develop and maintain a repository for Navy explosives or munitions emergency responses and munitions response notifications.

(2) Provide guidance for the preparation of ESS, including construction activities in areas known or suspected to contain MEC or MPPEH.

(3) Provide guidance for addressing the explosives safety concerns in health and safety plan development and execution, personnel qualification and quality assessment.

(4) Review Navy ESS and amendments and endorse them, when appropriate, to the DDESB for approval.

(5) Develop and maintain oversight and verification processes addressing the implementation of explosives safety principles in munitions responses.

(6) Oversee explosives safety of ongoing munitions responses to include, at a minimum, ESS compliance, health and safety plan execution, personnel qualification and quality assessment.

(7) Review and approve site-specific after action reports, submitted by Naval Facilities Engineering Command or others, to verify that required explosives safety actions were completed per the selected munitions response and associated ESS, including any ESS amendments or corrections and forward to the DDESB.

(8) Respond to requests for formal verification that the final munitions response was completed per the approved explosives safety documentation.

(9) Review Navy real property disposal, transfer and outlease documentation packages addressing explosives safety requirements and, when appropriate, endorse them to the DDESB for approval.

c. Naval Facilities Engineering Command must, for all munitions responses (including DON Environmental Restoration Program sites) for which they are responsible:

(1) Provide initial written notification of MEC or MPPEH discoveries to NOSSA.

(2) Develop ESS for NOSSA's review and endorsement to the DDESB. The distribution of naval ESS are limited to naval personnel until the document is finalized.

(3) Develop safety and health plans, personnel qualification documentation and quality assessment and control procedures that address explosives safety.

(4) As appropriate, provide additional supporting information, such as legal documents, to NOSSA.

(5) Coordinate munitions responses with the appropriate explosives safety officer and, when applicable, supporting EOD personnel.

(6) Conduct munitions responses per the approved ESS, amendment or correction, as appropriate.

(7) Amend or correct, as appropriate, approved ESS to reflect changes in the selected munitions response and submit the amendments via NOSSA to the DDESB and corrections to NOSSA.

(8) Prepare an after action report for the selected or amended munitions response and provide to NOSSA for review and submission to the DDESB or other entities as appropriate.

(9) Prepare Navy land disposal, transfer and out lease, documentation packages addressing explosives safety criteria associated with the presence or possible presence of MEC or MPPEH and required protective measures such as notices, restrictions and conditions for NOSSA's review and, as appropriate, endorsement to the DDESB for approval.

(10) Maintain records, including geographic information system mapping, of all areas known or suspected to contain MEC or MPPEH per reference (b), paragraphs 2-1.14.4 and 14-4.1.

d. Base Realignment and Closure Program Management Offices, major commands and other Navy activities must, through Naval Facilities Engineering Command or other agent, follow the requirements of paragraph 7c for all munitions responses and real property disposal, transfer or outlease for which they are responsible.

e. Navy EOD mobile units and detachments must:

(1) Submit copies of EOD incident reports for explosives or munitions emergency responses, found either on or off their assigned military facility, to NOSSA on an annual basis by calendar year, with each year's submission provided no later than 31 March of the subsequent calendar year.

(2) Exclude any responses on operational ranges and all non-military munitions responses, such as those involving improvised explosive devices.

8. Records Management.

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the DON Directorate for Administration, Logistics and Operations, Directives and Records Management

Division portal page at <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the local records manager or the OPNAV Records Management Program (DNS-16).

9. Review and Effective Date. Per OPNAVINST 5215.17A, OPNAV N41 will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency and consistency with Federal, DoD, Secretary of the Navy and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

10. Information Management Control. The reporting requirements contained in subparagraphs 7b(7) and 7c(8) are exempt from reports control per SECNAVINST M-5214.1 Part IV paragraph 7e, information concerning imminent danger to life, health or property arising from dangerous or defective material.



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Releasability and distribution:

This instruction is cleared for public release and is available electronically only via DON Issuances Web site, <https://www.secnav.navy.mil/doni/default.aspx>.

TERMS AND DEFINITIONS

1. DMM. Military munitions that have been abandoned without proper disposal or removed from storage in a military magazine or other storage area for the purpose of disposal. The term does not include UXO, military munitions that are being held for future use or planned disposal or military munitions that have been properly disposed of, consistent with applicable environmental laws and regulations.
2. Explosives or Munitions Emergency. A situation that may require the immediate and expeditious action by an explosives or munitions emergency specialist to control, mitigate or eliminate the threat of an explosive incident. It involves the suspected or detected presence of UXO, damaged or deteriorated explosives or munitions, an improvised explosive device, other potentially explosive material or device or other potentially harmful military chemical munitions or device, that creates an actual or potential imminent threat to human health, including safety or the environment, including property, as determined by an explosives or munitions emergency response specialist.
3. Explosives or Munitions Emergency Response. All immediate response activities by an explosives and munitions emergency response specialist to control, mitigate or eliminate the actual or potential threat encountered during an explosives or munitions emergency. An explosives or munitions emergency response may include in-place render safe procedures, treatment or destruction of the explosives or munitions or transporting those items to another location to be rendered safe, treated or destroyed. Explosives and munitions emergency responses can occur on either public or private lands and are not limited to responses at Resource Conservation and Recovery Act facilities.
4. ESS. An ESS addresses explosives safety requirements for munitions responses (e.g., field activities) that involve the intentional physical contact with MEC or the conduct of ground-disturbing or other intrusive activities in areas known or suspected to contain MEC.
5. MPPEH. Material owned or controlled by the DoD that, prior to determination of its explosives safety status, potentially contains explosives or munitions (for example, munitions containers and packaging material; munitions debris remaining after munitions use, demilitarization or disposal; and range-related debris) or potentially contains a high enough concentration of explosives that the material presents an explosive hazard (for example, equipment, drainage systems, holding tanks, piping or ventilation ducts that were associated with munitions production, demilitarization or disposal operations). Excluded from MPPEH are military munitions and munitions-related materials that are to be used or reused for their intended purpose that are within a DoD component's established munitions management system and other hazardous items that may present explosion hazards (such as gasoline cans, compressed gas cylinders) that are not munitions and are not intended for use as munitions.

6. **Military Munitions.** All ammunition products and components produced or used by or for the U.S. DoD or the U.S. Armed Services for national defense and security, including military munitions under the control of the DoD, the U.S. Coast Guard, the U.S. Department of Energy and National Guard personnel. The term military munitions includes: confined gaseous, liquid and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes and incendiaries used by DoD components, including bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges and devices and components thereof. Military munitions do not include wholly inert items, improvised explosive devices or nuclear weapons, nuclear devices and nuclear components thereof. However, the term does include non-nuclear components of nuclear devices, managed under Department of Energy's nuclear weapons program after all required sanitization operations under the Atomic Energy Act of 1954, as amended, have been completed.
7. **MC.** Any materials originating from UXO, DMM or other military munitions, including explosive and non-explosive materials and emission, degradation or breakdown elements of such ordnance or munitions.
8. **MEC.** Distinguishes specific categories of military munitions that may pose unique explosives safety hazards and risks such as, UXO, DMM or MCs (e.g., Trinitrotoluene and Hexahydro-Trinitro-Triazine) present in high enough concentrations to pose an explosive hazard.
9. **Munitions Response.** Response actions (including investigation, removal and remediation) taken to address the explosives safety, human health or environmental risks presented by UXO, DMM or MC. Munitions responses are not limited to sites within the Navy's Munitions Response Program and can occur on any real property where MEC or MPPEH are known or suspected to be present.
10. **Operational Range.** A range that is under the jurisdiction, custody or control of the Secretary of Defense and is used for range activities; or although not currently being used for range activities, is still considered by the Secretary to be a range and has not been put to a new use that is incompatible with range activities. The term "range," when used in the geographical sense, means a designated land or water area that is set aside, managed and used for range activities of the DoD. This term includes firing lines and positions, maneuver areas, firing lanes, test pads, detonation pads, impact areas, electronic scoring sites, buffer zones with restricted access and exclusionary areas; and airspace areas designated for military use per regulation and procedures prescribed by the Administrator of the Federal Aviation Administration.
11. **Range Activities.** Activities including research, development, testing and evaluation of military munitions, other ordnance and weapons systems; and the training of members of the armed forces in the use and handling of military munitions, other ordnance and weapons systems.

12. Resource Conservation and Recovery Act. The public law that creates the framework for the proper management of hazardous and non-hazardous solid waste, often used interchangeably to refer to the law, regulations and Environmental Protection Agency policy and guidance.

13. Real Property. Land or facilities (including installed equipment) owned by or under the control of the Navy or land where the Navy is primarily responsible for conducting response actions.

14. UXO. Military munitions that have been primed, fuzed, armed or otherwise prepared for action and have been fired, dropped, launched, projected or placed in such a manner as to constitute a hazard to operations, installation personnel or material and remain unexploded either by malfunction, design or any other cause.